From: skip@steuart.com@inetgw

**To:** Microsoft ATR,microsoftcomments@doj.ca.gov@inetgw,...

**Date:** 11/20/01 4:54pm

**Subject:** Suggested Microsoft Conduct Remedy

As I understand the current state of the Microsoft (MS) antitrust case, MS has been found guilty of abusing its monopoly position. The proposed settlement is that MS will be subject to government oversight for 5 to 7 years. As a MIS veteran with Math and Computer Science degrees and over 15 years experience I would like to offer a simple vision of what "conduct" the government should insist that MS follow.

MS has used its dominance of the OS to achieve dominance of the Applications that run on top of the OS. The object of the government oversight should be to break MS's lock on the link between the OS and the Applications. The only way to do this is to FORCE MS to publish the documented (and undocumented) APIs in the OS necessary to load and run MS Windows Applications. MS will scream bloody murder, and try to spin this as un-American, but running an abusive monopoly is un-American too. Publishing ALL of the necessary APIs should allow other OSs to run Windows Applications (including Microsoft Office). I have emulated other OSs like Windows on top of OSs like Macintosh and UNIX, but this has always been problematic because the MS APIs have to be reverse engineered because MS obviously doesn't cooperate in these efforts. If the government FORCED MS to cooperate then the other OSs could be able to run MS programs natively.

Compliance would be EASY to monitor. If MS were forced to release OS APIs, then there would be a stampede in the LINUX world to support the APIs in order to run native Windows Applications. The LINUX community already has a global and public means of development and review for projects, and I am sure that a Windows port would become a high priority multi year project. If MS complies then the LINUX world will be able to make a workable clone of the MS OS. This OS clone would run on top of LINUX and be able to run all MS Applications. If MS "forgets" to mention some of the APIs, the LINUX crowd with its global review system will identify what is missing. If a clone MS OS can be built and it runs MS Applications, then MS compliance will have been demonstrated. Microsoft Excel, Word, Media Player, Internet Explorer, and Power Point could be the applications used to verify compliance.

Even though MS would cry, they shouldn't worry unless they are afraid that their OS is so weak that a LINUX based clone would outperform the MS OS. Either way the consumer benefits. If the MS OS is superior, then the consumer now has two choices: buy the MS OS or use the slower but free LINUX clone. If the free LINUX version of the MS OS ends up being superior then the consumer is allowed to use a higher quality lower priced product. Either way the MS monopoly on the OS and the abuses that have resulted from the monopoly will be fixed by this approach. There should

be NO time limit on the publication of the APIs, as long as MS makes OSs they should be forced to publish the APIs.

Skip Steuart Steuart Investment Company phone:301/951-2744